

To Holiday or Not to Holiday

By Audrey Priolo, Litigation Procedure Attorney

As we near the end of 2019, courts are releasing 2020 closures and holidays. Holidays can potentially affect any legal deadline. If a calculation depends on court days, holidays are not counted. When counting calendar days, a deadline will typically change if the last day lands on a holiday. It is always important know the local holidays when calculating deadlines.

Federal Rule of Civil Procedure Section 6(a)(6)(A) defines "Legal Holiday" as:

- New Year's Day
- Martin Luther King Jr.'s Birthday
- Washington's Birthday
- Memorial Day
- Independence Day
- Labor Day
- Columbus Day
- Veterans' Day
- Thanksgiving Day
- Christmas Day

It is also important to remember that pursuant to FRCP 6(a)(6)(C), Federal Courts may observe State Court holidays for forward calculating deadlines. Accordingly, in Federal Court, it is important to know both the Federal and State holidays in the jurisdiction. In California, the Federal and State Holidays are:

DATE	HOLIDAY	FRCP	STATE COURT
Wednesday, January 1, 2020	New Year's Day	X	X
Monday, January 20, 2020	MLK Jr's. Birthday	X	X
Wednesday, February 12, 2020	Lincoln's Birthday		X
Monday, February 17, 2020	Presidents' Day	X	X
Tuesday, March 31, 2020	Cesar Chavez Day		X
Monday, May 25, 2020	Memorial Day	X	X
Friday, July 3, 2020	Independence Day	X	X
Monday, September 7, 2020	Labor Day	X	X
Monday, October 12, 2020	Columbus Day	X	X
Wednesday, November 11, 2020	Veteran's Day	X	X
Thursday, November 26, 2020	Thanksgiving Day	X	X
Friday, November 27, 2020	Day after Thanksgiving		X
Friday, December 25, 2020	Christmas Day	X	X

As always, it is important to check the local and courtroom rules. If there is any doubt, it is always safer to assume that the court does not observe a holiday and take the more conservative deadline.

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